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FINAL PRE-LITIGATION NOTICE: GDPR Violations, DSA Non-Compliance, and Automated Defamation via AI Overview

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Címzett: dpo-google@google.com, data-protection-office@google.com

I am writing this as a final formal notice before initiating comprehensive legal proceedings against Google. For nearly a year, I have sent hundreds of emails and physical registered letters (signed and received by your offices) detailing a critical data-retention flaw in Google AI Studio. Your department has intentionally ignored every single communication.

Furthermore, your continuous silence has allowed the situation to escalate into multiple legal violations on your platforms. I am holding Google fully liable for the following offenses, which have been entirely archived and documented for court:

1. Severe GDPR Violation (Illusion of Deletion / Backend Data Retention)
I have provided irrefutable technical proof that the "Delete" function in Google AI Studio is a fraud. Emptying the Google Drive trash only deletes the JSON pointer, not the actual prompt data. By using the Drive recovery tool, the allegedly "permanently deleted" chat loads instantly and flawlessly from your backend. Your servers are illegally retaining user data while the UI falsely claims "there is no such prompt." This is a direct violation of the Right to Erasure (Article 17 of the GDPR).

2. Violation of the EU Digital Services Act (DSA)
After exposing this flaw on the Google AI Developers Forum (under the username 'Bitu79'), I became the target of a coordinated smear campaign. Other users opened a dedicated thread specifically to harass me, defame me, and call for my ban. I formally notified your moderation team under the DSA, yet they refused to intervene, allowing the targeted harassment of a whistleblower to continue. Google is legally complicit in this failure to moderate and handle complaints.

3. Defamation and Slander via Google AI Overview
Most egregiously, your global search engine’s AI Overview is now actively generating false, defamatory summaries about me. The AI Overview twists the narrative, falsely accusing me of "spamming" and launching a "barrage of insulting posts," while deliberately covering up the fact that I am documenting a systemic GDPR flaw.
According to the ruling of the Regional Court of Munich I (LG München I, case no. 26 O 869/26), Google is legally responsible for the content generated by AI Overview, as it qualifies as your "own statement." You are using your automated systems to spread lies and defame me to protect your corporate image.

You have ignored my registered letters, allowed your community to harass me, and are now using your AI infrastructure to commit defamation. All posts, timestamps, raw HTML captures, and AI summaries have been archived on independent servers (Wayback Machine, Ghostarchive) and recorded on video. The evidence is sealed and irrefutable.

Since you have refused to address these issues internally, we will resolve this in court. You will answer for the data retention fraud, the failure to comply with the DSA, and the automated defamation generated by your AI.

Sincerely,
Bitu79